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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,997	06/08/2001	Jay A. Alexander	10981507-2	1007

7590 06/10/2004  
AGILENT TECHNOLOGIES, INC.  
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Intellectual Property Department  
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EXAMINER

AMINI, JAVID A

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 06/10/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/930,997

Applicant(s)

ALEXANDER, JAY A.

Examiner

Javid A Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 58-78 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

***Response to Arguments***

Applicant's arguments filed October 01, 2003 have been fully considered but they are not persuasive.

Applicant on page 6 of remarks dated 6/5/03 lines 20-24 argues that the independent claim 58 has been amended to include recitations that the claimed method is performed in connection with a signal measurement system. Applicant believes the amendments place these claims in condition for allowance. Examiner's reply: the terms "Signal Measurement System" are broad subjects, and could easily apply to the current references. Hugh in fig. 8 and Pritt in fig. 4 illustrate graphical display with annotations on displays. The graphical displays can be referred to as signal measurement system. On the other hand applicant added another broad term "waveform" (A waveform is a representation of how alternating current varies with time. The most familiar AC waveform is the *sine wave*, which derives its name from the fact that the current or voltage varies with the sine of the elapsed time. Other common AC waveforms are the square wave, the ramp, the saw tooth wave, and the triangular wave). Pritt in fig. 4 illustrates a waveform and also circular graphics with annotations on a display without overlap. Therefore by adding the terms "Signal Measurement System" and "waveform" do not place these claims in condition for allowance. Applicant should be emphasizing more about the annotating label and its correlation with a graphical display.

***Duplicate Claims***

Applicant is advised that should claims 65 and 66 be found allowable, claims 65 and 66 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same

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thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim 65.

“The method of claim 58, wherein said data to be displayed in said dialog display region comprises data in the form of graphical symbols”,

Claim 66.

“The method of claim 58, wherein said data to be displayed in said dialog display region comprises data in the form of graphical symbols”,

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 58-67 and 74 rejected under 35 U.S.C. 103(a) as being unpatentable over Hugh and further in view of Pritt.

1. Claim 58.

“In a signal measurement system, a method for graphically displaying an annotation label on a graphical user interface on which waveforms of the signal measurement system are displayed;

(1) displaying on the graphical user interface a first display element representing the function of displaying an annotation label; (2) receiving an indication that an operator graphically selected said first display element; (3) displaying, on the graphical user interface, a display region through which the operator can enter data related to a waveform displayed on the graphical user

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interface, wherein said data is to be displayed in the annotation label; (4) receiving through a user interface said waveform-related data to be displayed in said dialog box; (5) displaying said annotation label on said graphical user interface”, Hugh teaches in paragraph 0110, in the upper left corner of Fig. 3 are two thought pins 370 and 375, labeled "Rodin" and "Liquid Noise."

Thought pins can be moved by the user to any location or deleted of the hierarchy that contains the current item is displayed as a parent, and the other items within the level containing the current item are displayed (can be called first display element) as siblings. Hugh teaches in paragraph 0160, a gate, link, thought, or any other display element could change color to indicate that the element would be selected if the user depressed a mouse button. Hugh teaches in paragraph 0223 that a dialog box appears and asks the user to specify the depth for which the hyperlinked pages associated with the web page should be searched. Hugh teaches in paragraph 0138 that thought fields could be edited in a dialog box or window such as 1410 in Fig14. But Hugh does not explicitly specify the displaying annotation on GUI, however, Pritt teaches in (col. 2, lines 53-59) that the system includes means for displaying annotations on a display or portion of the display and also see fig. 4.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pritt into Hugh in order to improve a need in the art for a method to place annotations of various sizes on a computer display without overlap see Fig. 4 of Pritt's invention. And also Hugh's invention adding more relationships amongst users by flexibly distributing information about other users of shared content, and availing differentiated content to different groups of users.

2. Claim 59.

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"The method of claim 58, wherein said first display element comprises any known display element supported by the graphical user interface", Hugh teaches in 0063 that a file stored using the present invention may thereby easily be copied to a Windows Explorer.RTM. folder or any other application supporting file drag and drop. And also Hugh teaches in paragraph 0149 that the system supports interactive commands for requesting the display of these usage statistics. For example, in one embodiment, a user can request to view usage statistics falling within a given time period.

3. Claim 60.

"The method of claim 58, wherein said first display element comprises an icon", Hugh teaches in paragraph 0184 that a number or icon of variable size can be displayed in proximity to the central thought and/or other thoughts within the plex representing (first display element) the quantity of neighbors at those thoughts.

4. Claim 61.

"The method of claim 58, wherein said first display element comprises a graphical button rendered on a dialog box", Hugh teaches in paragraph 0184 that a number or icon of variable size can be displayed in proximity to the central thought and/or other thoughts within the plex representing (first display element) the quantity of neighbors at those thoughts.

5. Claim 62.

"The method of claim 58, wherein said display region through which the operator can enter a desired content to be displayed in the annotation label is a window", Hugh illustrates in Fig. 14. But Hugh does not explicitly specify the displaying annotation label on GUI, however, Pritt

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teaches in (col. 2, lines 53-59) that the system includes means for displaying annotations on a display or portion of the display.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pritt into Hugh in order to improve a need in the art for a method to place annotations of various sizes on a computer display without overlap.

6. Claim 63.

“The method of claim 58, wherein said display region through which the operator can enter a desired content to be displayed in the annotation label is a dialog box”, Hugh illustrates in Fig. 14. But Hugh does not explicitly specify the displaying annotation label on GUI, however, Pritt teaches in (col. 2, lines 53-59) that the system includes means for displaying annotations on a display or portion of the display.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pritt into Hugh in order to improve a need in the art for a method to place annotations of various sizes on a computer display without overlap see Fig. 4 of Pritt’s invention. And also Hugh’s invention adding more relationships amongst users by flexibly distributing information about other users of shared content, and availing differentiated content to different groups of users.

7. Claim 64.

“The method of claim 58, wherein said data to be displayed in said dialog box comprises data in the form of text strings”, Hugh illustrates in Fig. 14

8. Claim 65.

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“The method of claim 58, wherein said data to be displayed in said dialog display region comprises data in the form of graphical symbols”, Hugh illustrates in Fig. 14

9. Claim 66.

“The method of claim 58, wherein said data to be displayed in said dialog display region comprises data in the form of graphical symbols”, Hugh illustrates data to be displayed in dialog display region comprises data in the form of graphical symbols in Fig. 21.

10. Claim 67.

“The method of claim 58, further comprising the steps of displaying a second display element on the graphical user interface indicating that the operator has the opportunity to alter the manner in which the annotation label is rendered; receiving an indication that the operator has selected said second display element; displaying, in response to said indication that the operator has selected said second display element, a rendering options display window on the graphical user interface; receiving operator inputs applied to said rendering options display window; and displaying said annotation label in accordance with said operator inputs to said rendering options display window”, Hugh illustrates in Fig. 21. But Hugh does not explicitly specify the displaying annotation label on GUI, however, Pritt teaches in (col. 2, lines 53-59) that the system includes means for displaying annotations on a display or portion of the display.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pritt into Hugh in order to improve a need in the art for a method to place annotations of various sizes on a computer display without overlap see Fig. 4 of Pritt’s invention. And also Hugh’s invention adding more relationships amongst users by flexibly



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distributing information about other users of shared content, and availing differentiated content to different groups of users.

11. Claim 74.

“The method of claim 68, further comprising the steps of adjusting appearance characteristics of said annotation label displayed on said graphical user interface in response to operator commands”, Hugh teaches in paragraph 0110 in order to create a thought pin, the user simply moves the cursor (using mouse/control device 160), and clicks on or otherwise highlights the existing thought for which a thought pin is to be created, and then selects a "Create Pin" command or the like from an ensuing pop-up command menu (such as menu 1210). But Hugh does not explicitly specify the displaying annotation label on GUI, however, Pritt teaches in (col. 2, lines 53-59) that the system includes means for displaying annotations on a display or portion of the display.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pritt into Hugh in order to improve a need in the art for a method to place annotations of various sizes on a computer display without overlap see Fig. 4 of Pritt's invention. And also Hugh's invention adding more relationships amongst users by flexibly distributing information about other users of shared content, and availing differentiated content to different groups of users.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

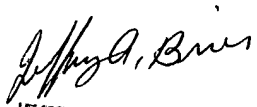
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini  
Examiner  
Art Unit 2672

Javid Amini

  
JEFFERY BRIER  
PRIMARY EXAMINER